

## **CHAPTER 3**

### **ELIGIBILITY AND SLOT ALLOCATION**

#### **HASCI Waiver Eligibility**

To become enrolled in the HASCI Waiver program, a person must meet all of the following requirements:

- be determined eligible for SCDDSN under the category of Traumatic Brain Injury (TBI), Spinal Cord Injury (SCI), or Similar Disability (SD);  
*Diagnostic eligibility criteria for the HASCI Waiver are identical to those for the SCDDSN Head and Spinal Cord Injury Division (Section 44-38-370 of South Carolina Code of Laws).*
- receive Service Coordination through a provider contracted by SCDDSN
- be allocated a HASCI Waiver participant slot
- qualify to receive Medicaid in South Carolina
- meet Level of Care (LOC) criteria for a Nursing Facility (NF) or an Intermediate Care Facility for Individuals with Intellectual Disability (ICF/IID)
- depend on others to provide, assist with, or supervise/monitor critical health needs and/or personal care and basic activities of daily living
- need services or assistance not available from existing resources, including family, private funds, and other agencies/programs  
*HASCI Waiver is the last payer after all other funding and resources available to the person.*
- have sufficient independence/natural supports to live safely in a private residence or other community setting with limited HASCI Waiver services and other available services/resources.
- be enrolled in the HASCI Waiver prior to age 65 years. *Current participants remain eligible after their 65<sup>th</sup> birthday if all other eligibility factors continue to be met.*

#### **Management of HASCI Waiver Slots**

A limited number of participant slots are available each year for the HASCI Waiver. The number of slots actually allocated by SCDDSN depends on the availability of State matching funds. Allocation of HASCI Waiver slots is managed by the Head and Spinal Cord Injury Division.

## **Requesting a HASCI Waiver Slot**

Referral to HASCI Waiver services can be made during initial screening by HASCI Division Information and Referral (I&R). Referral also can be made during SCDDSN intake or anytime following SCDDSN eligibility determination.

Whenever the HASCI Waiver is specifically requested or it is reported that a person has needs that could likely be met with HASCI Waiver services, the HASCI Division I&R screener or the Service Coordinator must inform the person or legal guardian/representative of:

- the option to be referred to the HASCI Waiver waiting list
- requirements to qualify for the HASCI Waiver program
- services that are available through the HASCI Waiver
- the right to seek reconsideration by SCDDSN and to request a fair hearing from the State Medicaid agency (SCDHHS) for adverse decisions or actions related to applying for HASCI Waiver services.

A HASCI Waiver Fact Sheet is available to assist with this. *It can be accessed via the SCDDSN Application Portal >Business Tools >Forms >HASCI Waiver.*

### **Referral by HASCI Division I&R**

Referral to the SCDDSN Head and Spinal Cord Injury Division and the HASCI Waiver is made by contacting HASCI Division I&R at 1-866-867-3864 (toll-free). If HASCI Waiver is requested during screening by HASCI Division I&R, the request will be forwarded to the HASCI Division upon completion of screening.

The HASCI Division will notify the chosen Service Coordination provider by E-mail that the person has been placed on the HASCI Waiver waiting list.

The Service Coordinator must notify the person or legal guardian/representative in writing and provide information concerning SCDDSN Reconsideration and SCDHHS Medicaid Appeal.

### **Referral by Service Coordinator**

If the HASCI Waiver is requested during SCDDSN intake or anytime following SCDDSN eligibility determination, the Service Coordinator must complete a *Request for HASCI Waiver Slot* (HASCI Form 1) and forward it by mail or fax to the HASCI Division.

HASCI Form 1 is also used to request that a person already on the waiting list be moved from Regular status to Urgent status or from Urgent status to Regular status, because of changes in condition, functioning, or circumstances.

To be considered for Urgent status on the HASCI Waiver waiting list, the person must have completed SCDDSN eligibility determination, must receive Level 1 Service Coordination, and must have an Assessment and current Support Plan on CDSS. Information concerning the person's condition, functioning, and circumstances to justify Urgent status must be provided on the HASCI Form 1 or in accompanying materials sent with the HASCI Form 1.

Following review of the HASCI Form 1 and other information, the HASCI Division will notify the Service Coordinator by e-mail that the person is placed on the HASCI Waiver waiting list in Regular or Urgent status. Receipt of this notification must be documented in a Service Note. A copy of the e-mail must be attached to the HASCI Form 1 and both must be maintained in the participant's file.

The Service Coordinator must notify the person or legal guardian/representative in writing and provide information concerning SCDDSN Reconsideration and SCDHHS Medicaid Appeal.

## **HASCI Waiver Waiting List**

SCDDSN maintains a waiting list of applicants for the HASCI Waiver managed by the HASCI Division. Applicants are placed on the waiting list in Urgent or Regular status, based on severity of condition and level of need.

Criteria for Urgent status on the HASCI Waiver waiting list are:

1. Very severe injury resulting in functional limitations requiring extensive or total care (spinal cord injury at quadriplegia level; very severe traumatic brain injury)
2. Emergency need for assistance with personal care and safety
3. Recent loss of a primary caregiver (permanently gone within the past 90 days) or imminent risk of losing a primary caregiver (permanently gone within the next 90 days), and no other paid or unpaid supports to replace the primary caregiver
4. Recently discharged (within the past 90 days) or pending discharge (within the next 90 days) from acute care or rehabilitation hospital with complex unmet service needs.
5. Lack of an active support network of family, friends, and community resources
6. Specific extenuating circumstances affecting urgency (e.g. more than one person with disabilities or special needs in the household, primary caregiver is elderly or has a serious medical condition; primary caregiver is also responsible for minor children or elderly family members; etc.)

An applicant must meet at least two of the above criteria to be considered for Urgent status on the waiting list. If criteria for Urgent status are not met, the applicant will be placed on the waiting list in Regular status.

- If referred to the HASCI Waiver by HASCI Division I&R, waiting list placement is based on the date of screening.

*All persons referred to the HASCI Waiver prior to SCDDSN eligibility determination are placed on the waiting list in Regular status, including those screened by HASCI Division I&R and referred as Urgent for SCDDSN intake. Following SCDDSN eligibility determination, the Service Coordinator can request the person be moved to Urgent status on the HASCI Waiver waiting list if this is warranted by the person's condition, functioning, and circumstances. If Urgent status is approved, it will be effective based on the date the person was screened as Urgent for SCDDSN intake.*

- If referred to the HASCI Waiver by the Service Coordinator during intake or anytime following eligibility determination, placement on the waiting list is based on the date of referral.
- An applicant in Urgent status on the waiting in list who no longer meets criteria will be moved to Regular status based on the original referral date.
- An applicant in Regular status on the waiting list who later meets Urgent criteria will be moved to Urgent status based on the date it is confirmed that Urgent criteria are met.
- At any time, a person or legal guardian can request the Service Coordinator to provide an update on the person's status and position on the waiting list. The Service Coordinator must contact the HASCI Division for this information.

## **Allocation of HASCI Waiver Slots**

The HASCI Division will notify the Service Coordinator in writing when a person has been allocated a Waiver slot.

- An applicant who meets Urgent criteria and is ready for enrollment will be allocated the first available HASCI Waiver slot.
- If more than one individual on the waiting list in Urgent status is ready for enrollment, they will be allocated an available HASCI Waiver slot based on earliest documented date of request.
- If there are no applicants on the waiting list in Urgent status ready for enrollment, applicants on the Regular waiting list ready for enrollment will be allocated the first available HASCI Waiver slot based on earliest documented date of request.

- A person in a nursing facility, hospital swing bed, or hospital administrative day bed for at least 90 consecutive days who is ready for discharge and requests to receive community based services will be allocated the first available HASCI Waiver slot when he or she can meet eligibility requirements listed on page 1. This does not require being on the HASCI Waiver waiting list.

*If not already eligible for the SCDDSN Head and Spinal Cord Injury Division, the person must be referred immediately. Eligibility determination may take 1-3 months or more. Transition to the HASCI Waiver must be arranged through a Service Coordination provider contracted by SCDDSN and may take 1-3 months after a HASCI Waiver slot is allocated.*

## **HASCI Waiver Residential Slots**

A limited number of HASCI Waiver slots are available specifically for participants in a residential placement funded by SCDDSN. Allocation of a HASCI Waiver residential slot is contingent on the availability of funding and a vacancy in an appropriate residential placement.

A person must be approved for the SCDDSN Critical Needs List or the Priority I Residential Waiting List to be considered for a placement funded by SCDDSN. To refer a person, the Service Coordinator must submit a *Report of Critical/Urgent Circumstances* (SCDDSN Directive 502-05-DD, Appendix A) to the appropriate SCDDSN District Office.

The Service Coordinator must notify the HASCI Division by E-mail whenever a *Report of Critical/Urgent Circumstances* is submitted.

- The Service Coordinator must complete and submit a *Residential Services Request Form* to the HASCI Division. *This can be accessed via the SCDDSN Application Portal >Business Tools >Forms >HASCI Division*
- If the person is not already enrolled in the HASCI Waiver or on the waiting list, but likely to qualify, the Service Coordinator must complete a *Request for HASCI Waiver Slot* (HASCI Form 1) and forward it to the HASCI Division.
- If not already enrolled in the HASCI Waiver but likely to qualify, a person approved for the SCDDSN Critical Needs List must also be in Urgent status on the HASCI Waiver waiting list.

If the person is in Regular status on the HASCI Waiver waiting list, the Service Coordinator must submit a HASCI Form 1 to the HASCI Division requesting that the person be moved to Urgent status and providing justification.

## **Referrals from SCDSS or SCDMH**

The HASCI Division must be notified by telephone or e-mail if HASCI Waiver services and/or residential placement funded by SCDDSN are requested for a person in custody of or served by South Carolina Department of Social Services (SCDSS) or South Carolina Department of Mental Health (SCDMH).

If the person is not already eligible for the Head and Spinal Cord Injury Division, SCDSS or SCDMH staff (or the person or legal guardian) must make a referral by contacting HASCI Division I&R. at 1-866-867-3864 (toll-free).

If the person is not already on the HASCI Waiver waiting list, referral must be made by HASCI Division I&R during screening or by the Service Coordinator during intake or following SCDDSN eligibility determination.

If residential placement funded by SCDDSN is requested, the Service Coordinator must submit a *Report of Critical/Urgent Circumstances* to the appropriate SCDDSN District Office. This cannot be done until after the person has been determined eligible for SCDDSN and appropriate procedures followed.

## **Removal from HASCI Waiver Waiting List**

A person will be removed from the HASCI Waiver waiting list if any of the following occurs:

- HASCI Waiver slot allocated
- Determined ineligible
- Death
- Moved out of state
- Admission to a NF or ICF/IID expected to be permanent
- SCDDSN case closed because person cannot be located
- Person or legal guardian requests removal

If the person or legal guardian requests removal from the HASCI Waiver waiting list, the Service Coordinator must document the reason in a Service Note and complete a *Statement of Individual Declining Waiver Services* (HASCI Form 3). It must be signed by the person or legal guardian (if possible) and the Service Coordinator. The original form must be maintained in the person's file. Copies must be sent to the HASCI Division and to the person or legal guardian.

A person on the waiting list who does not want to pursue a HASCI Waiver slot when notified one is available can choose to either move to bottom of the waiting list or be removed from the waiting list. The Service Coordinator must document the option chosen in a Service Note and notify the HASCI Division by e-mail.